

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Rules and Regulations Implementing the	)	CG Docket No. 02-278
Telephone Consumer Protection Act of 1991	)	

**LEUKEMIA & LYMPHOMA SOCIETY SUPPORT AND  
COMMENTS IN RESPONSE TO PETITION FOR  
RECONSIDERATION**

**SUBMITTED BY DWAYNE HOWELL  
PRESIDENT & CEO**

October 29, 2003

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Room TW-204B  
Washington, DC 20554

RE: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991  
CG Docket No. 02-278

Dear Ms. Dortch

The Leukemia & Lymphoma Society is dedicated to curing the blood cancers of leukemia, lymphoma and myeloma and to improving the quality of life for patients and their families. We will fund more than \$41 million in research this year. We also operate 62 chapters nationwide that deliver programs and provide direct financial assistance to patients. In fact, we are one of the last voluntary health agencies to offer such financial assistance.

The Society does not receive any federal funding. It is completely dependent on the generosity of contributors and volunteers – both private and corporate. Of the various means used to generate contributions, telemarketing by professional organizations has played a critical role in our fundraising. It is the driving force behind some \$16.6 million of our annual budget. That is funding that supports medical research, patient support groups and patient financial assistance.

Accordingly, we want to voice our strong support for the Petition for Reconsideration from DialAmerica Marketing, Inc. regarding the FCC's CG Docket No. 02-278 and the Opposition of the National Association of State Utility Consumer Advocates.

DialAmerica Marketing, Inc. has been one of the Society's largest and most consistent supporters for more than 15 years. Its efforts on behalf of the Society have provided us more than \$25 million during this time. The funds we receive from DialAmerica Marketing are net dollars – they come to us with no overhead expense. Without the ongoing generosity of DialAmerica Marketing, we would be forced to spend significant additional resources each year to raise the approximately \$1.6 million generated by the DialAmerica program annually. DialAmerica provides a value to the buyer, to us, and to each of the other charities they support.

DialAmerica's partnership has made a huge impact on the mission of The Leukemia & Lymphoma Society. The remarkable funding contributed by DialAmerica has accelerated the Society's search for cures for leukemia, lymphoma and myeloma, and increased the Society's services for those whose lives have been touched by these blood cancers.

In addition, the research supported by the Society has played an important role in the development of basic therapies that have been effective not only for blood cancers but also for many other cancers. Combination chemotherapy, bone marrow and stem cell transplants and gene therapy all arose from leukemia and lymphoma research.

This proud tradition was threatened 10 years ago, when the Society might not have survived financially. In no small measure because of DialAmerica's support, the Society was able to greatly improve its financial strength, and continue to advance its mission.

We are not insensitive to the legitimate concerns of those who are being harassed by burdensome telemarketing calls for a wide range of products or services. DialAmerica Marketing maintains voluntary do-not-call lists and subscribes to the states' do-not-call registries to insure that individuals who request to be taken off their lists are handled accordingly.

We feel strongly that DialAmerica Marketing's program on behalf of The Leukemia & Lymphoma Society and other sound, credible charities should fall under the exemption allowed to charities themselves, and we thank you for your attention to these comments.

Sincerely,

Dwayne Howell  
President & CEO